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1635



Attorney Docket no: PHO-122

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

Scott et al.

Serial No.: 09/900,355

Filed: July 6, 2001

For: Improved Medicaments For Chemotherapeutic
Treatment Of Disease

Examiner: Janet Epps Ford

Art Unit: 1635

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents , P.O. Box 1450, Alexandria, VA 22313-1450 on <u>January 10, 2005</u> (Date of Deposit) <u>Shannon Wallace</u> Name of applicant, assignee, or Registered Rep. <u>Shannon Wallace</u> 1/10/05 Signature Date	
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicant hereby calls the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. A copy of each of these references is enclosed herewith.

No inference should be drawn that the attached list sets forth a comprehensive investigation of the prior art, that any or all are pertinent to the invention, or that any apparatus disclosed is equivalent to the subject invention.

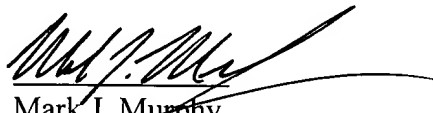
The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be

construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

As these documents were cited in an Office Action dated December 3, 2004 in USSN 09/817,448, no fee is believed necessary for this IDS. If a fee is required, please charge our Deposit Account No. 50/1039.

Respectfully submitted,


Mark J. Murphy
Registration No.: 34,225

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January 10 2005

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Approved for use through 07/31/2006. OMB 0651-0031

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of 2

Application Number	09/900,355
Filing Date	July 6, 2001
First Named Inventor	Dees et al.
Art Unit	1635
Examiner Name	Janet Epps Ford
Attorney Docket Number	PHO 122

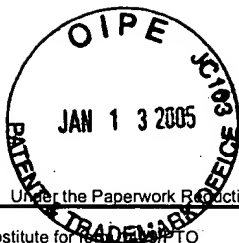
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FOREIGN PATENT DOCUMENTS						T ⁶
Examiner Initials*	Cite No. ¹	Foreign Patent/Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	
	5	WO 96/07431	3/14/1996	Gaboury et al.		
	6	WO 97/03697	2/6/1997	Bottiroli et al		
	7	WO 97/26920	7/31/1997	Hansjorg	English Abstract	

Date
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for Form PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Art Unit	1635
Examiner Name	Janet Epps Ford
Attorney Docket Number	PHO 122

Sheet 2 of 2

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	8	Xanthenes: Fluorone Derivatives, THE JOURNAL OF ORGANIC CHEMISTRY 57(1992) JULY 31, no. 16, Washington, DC pps 4418-4421	
	9	(Svensk Farmaceutisk Tidskrift (1973) 77 (13): 641-647 (Abstract)	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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